



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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MEMORANDUM

DATE: June 12, 2012

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: S.B. 225 [Helmets for Horseback Riders]

The State Council for Persons with Disabilities (SCPD) has reviewed S.B. 225 which would require individuals under age 18 riding a horse or pony in public areas to wear an ASTM/SEI certified helmet. Some provisions are patterned on the bicycle helmet statute, Title 21 Del.C. §4198K. A first offense results in a \$25 fine and a second offense results in a \$50 fine to the parent. All charges may be dismissed if the parent produces evidence that the requisite helmet has been obtained. The synopsis recites that “(h)ead injuries are the most common cause of death for people who ride horses or ponies according to the American Medical Equestrian Association.” SCPD endorses the proposed legislation since it would reduce prospects for head, spinal cord, and other fatal and non-fatal injuries. However, SCPD has the following recommendations given that the bill could benefit from some technical corrections.

First, lines 19-20 should be underlined.

Second, the heading of the subchapter in which the new §4198P is inserted is “underinclusive”. Subchapter XII should be revised as follows:

OPTION 1

Subchapter XII. Operation of Bicycles and Other Human-Powered Vehicles; Operation of Electric Personal Assistive Mobility Devices; Equestrian Helmet Requirement

OPTION 2

Subchapter XII. Operation of Bicycles and Other Human-Powered Vehicles; Operation of Electric Personal Assistive Mobility Devices; Helmet Requirement for Horseback Riding

SCPD prefers the first option.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or recommendations on the proposed legislation.

cc: Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

sb 225 helmets 6-12-12